

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No.4:08-CV-100-BO

MICHAEL W. LAWS,)
BLE DEVELOPMENT LLC, SID N.)
BAZEMORE,)
)
Plaintiffs,)
v.)
)
CARTERET COUNTY CLERK OF)
COURT LANA MURRELL, MARK)
ANDERSON, JAMES RAGAN,)
DARLENE MILLER, JAMES LIVERMON,))
)
Defendants.)
_____)

ORDER

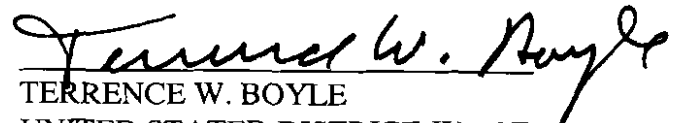
This cause is before the Court on Defendants' Motion to Dismiss under Fed. R. Civ. P. 12(b)(1). Plaintiffs, *pro se*, filed this action seeking to stop foreclosure proceedings underway in Carteret County. Plaintiffs filed two emergency motions for temporary restraining order in this Court, both of which were denied. A hearing was held in the matter on July 23, 2008, at Wilmington, NC, and the matter is ripe for ruling.

Federal courts are courts of limited jurisdiction. 28 U.S.C. § 1331 provides the federal courts with jurisdiction over cases arising under the Constitution and laws of the United States. 28 U.S.C. § 1332 provides the federal courts with diversity jurisdiction over matters in controversy between citizens of different states. Plaintiffs have failed to allege federal question jurisdiction under 28 U.S.C. § 1331 or diversity jurisdiction under 28 U.S.C. § 1332.

Whenever it appears by suggestion of the parties or otherwise that the court lacks subject matter jurisdiction, the court shall dismiss the action. Fed. R. Civ. P. 12(h)(3). It appearing that Plaintiffs have failed to allege facts sufficient for this Court to establish subject matter

jurisdiction under, Defendants' motion is GRANTED and this matter is hereby DISMISSED in its entirety. The Clerk is DIRECTED to enter judgment accordingly.

SO ORDERED, this 23 day of July, 2008.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE